

Arkansas Department of Education  
Checklist for the Promulgation  
Of Rules

<u>Action</u>	<u>Date</u>
1. Initial policy discussion with SBE (with copy of proposed rule to attorney)	<u>6/14/04</u>
2. Initial review by SBE (with copy of proposed rule to attorney)	<u>6/14/04</u>
3. Develop fiscal impact statement and financial impact statements	<u>7/30/04</u>
4. Deliver hard copy & disk version to Attorney <i>at least 1 week prior</i> to public comment period	<u>7/30/04</u>
5. File regulation and financial and fiscal impact statements with Secretary of State. NOTE: Must be 35 days prior to final SBE approval.	_____
6. Notice of public hearing published in paper for 3 consecutive days. NOTE: Must be 30 days before SBE approval. <i>Comment period begins on first day of publication</i>	<u>7/31, 8/1-2</u>
Do Director's Memo with notice and copy of proposed rule	_____
7. File regulation, fiscal and financial impact statements, and summary with ALC. NOTE: Must be 30 days <i>before</i> end of public comment period.	_____
8. Public Hearing	<u>8/24/04</u>
9. Final approval by SBE	_____
10. ALC review of regulation, fiscal and financial impact statements	_____
11. File regulation, fiscal and financial impact statements with SOS, include electronic version	_____
12. File regulation, fiscal and financial impact statements with ALC	_____
13. Copy to State Board Office for filing with State Library`	_____

QUESTIONNAIRE FOR FILING PROPOSED RULES WITH  
THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE

DEPARTMENT/AGENCY Arkansas Department of Education  
DIVISION Accountability  
DIVISION DIRECTOR Dr. Charity Smith  
CONTACT PERSON Dr. Frank Servedio  
ADDRESS #4 State Capitol Mall, Room 405-B, Little Rock, AR 72201  
PHONE # 501-682-5535 FAX # 501-682-5118 E-MAIL fservedio@arkedu.k12.ar.us

INSTRUCTIONS

- A. Please make copies of this form for future use.
- B. Please answer each question completely using layman terms. You may use additional sheets, if necessary.
- C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.
- D. Submit two (2) copies of this questionnaire & financial impact statement attached to the front of two (2) copies of your proposed rule and required documents. Mail or deliver to:

Donna K. Davis  
Subcommittee on Administrative Rules and Regulations  
Arkansas Legislative Council  
Bureau of Legislative Research  
Room 315, State Capitol  
Little Rock, AR 72201

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- 1. What is the short title of this rule?  
Rules Governing Non-Traditional Licensure
- 2. What is the subject of the proposed rule?  
Non-Traditional Teacher Licensure
- 3. Is this rule required to comply with federal statute or regulations? Yes\_\_\_\_\_ No xx  
If yes, please provide the federal regulation and/or statute citation.
- 4. Was this rule filed under the emergency provisions of the Administrative Procedures Act?  
Yes\_\_\_\_\_ No xx  
If yes, what is the effective date of the emergency rule?  
  
When does the emergency rule expire?  
  
Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act? Yes\_\_\_\_\_ No\_\_\_\_\_

5. Is this a new rule? Yes xx No \_\_\_\_\_ If yes, please provide a brief summary explaining the regulation.

Does this repeal an existing rule? Yes \_\_\_\_\_ No xx If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does.

Is this an amendment to an existing rule? Yes \_\_\_\_\_ No xx If yes, please attach a markup showing the changes in the existing rule and a summary of the substantive changes. **NOTE: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."**

6. Cite the state law grants the authority for this proposed rule. If codified, please give Arkansas Code citation.

*Ark. Code Ann. § 6-11-1504, 6-17-401 and 25-15-204 (Supp. 1999)*

7. What is the purpose of this proposed rule? Why is it necessary?

*To establish the requirements and procedures for obtaining teacher licensure through the Arkansas Department of Education Non-Traditional Teacher Licensure Program.*

8. Will a public hearing be held on this proposed rule? Yes xx No \_\_\_\_\_  
If yes, please complete the following:

Date: 8/24/04  
Time: 1:00 pm  
Place: ADE Auditorium

9. When does the public comment period expire for permanent promulgation? (Must provide a date.)

*September 6, 2004*

10. What is the proposed effective date of this proposed rule? (Must provide a date.)

*October 18, 2004*

11. Do you expect this rule to be controversial? Yes \_\_\_\_\_ No xx  
If yes, please explain.

12. Please give the names of persons, groups, or organizations that you expect to comment on these rules. Please provide their position (for or against) if known.

*Unknown*

## FINANCIAL IMPACT STATEMENT

DEPARTMENT Arkansas Department of Education  
DIVISION Accountability  
PERSON COMPLETING THIS STATEMENT Frank J. Servedio  
PHONE # 501-682-5535 FAX # 501-682-5118 E-MAIL fservedio@arkedu.k12.ar.us

To comply with Act 1104 of 1995, please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

### SHORT TITLE OF THIS RULE

*Rules Governing Non-Traditional Licensure*

1. Does this proposed, amended, or repealed rule or regulation have a financial impact? Yes xx No \_\_\_\_\_
2. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.  
*No.*
3. If the purpose of this rule or regulation is to implement a federal rule or regulation, please give the incremental cost for implementing the regulation. Please indicate if the cost provided is the cost of the program.  
*No.*

#### **Current Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

#### **Next Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

4. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule or regulation? Identify the party subject to the proposed regulation and explain how they are affected.  
*Candidates pay an annual program fee for the program.*

#### **Current Fiscal Year**

\$ 750 per year per candidate

#### **Next Fiscal Year**

\$ 900 per year per candidate

5. What is the total estimated cost by fiscal year to the agency to implement this regulation?

#### **Current Fiscal Year**

\$ 50,000 for scholarships

#### **Next Fiscal Year**

\$ 50,000 for scholarships

DEPARTMENT OF EDUCATION  
FISCAL IMPACT STATEMENT OF PROPOSED REGULATION  
(In compliance with Acts 884 and 1253 of 1995)

Regulation Title: *RULES GOVERNING NON-TRADITIONAL TEACHER LICENSURE*

Summary Description of Regulatory Proposal: *This Rule establishes the requirements and procedures for obtaining teacher licensure through the Arkansas Department of Education's Non-Traditional Licensure program.*

Cite Statutory Authority for this Regulatory Proposal: *Ark. Code Ann. § 6-11-1504, 6-17-401 and 25-15-204 (Supp. 1999)*

- I. Fiscal Impact on the Department: (include whether impacts are non-recurring or recurring)
  - A. Resources Required - Personnel, equipment, office space.
    - a. Personnel – *one (1) grade 22 director's position*  
*one (1) grade 21 program advisor*  
*one (1) secretary II position*  
*one (1) administrative assistant position*  
*Of these, the grade 22 position which was in place has since been reassigned and is currently vacant and is in need.*
    - b. Equipment and office space  
*Standard office equipment and space which would be required of four persons (offices plus work room)*
  - B. Time Required for Implementation.
    - a. *Implementation would be immediate.*
  - C. Procedural Changes.
    - a. *None.*
  - D. Other.
- II. Fiscal Impact on Local School District or Others? (Include whether impacts are non-recurring or recurring)
  - A. Resources Required - Personnel, equipment, office space.
  - B. Time Required for Implementation.
  - C. Procedural Changes.
  - D. Other.
- III. Additional Comments.

Prepared by: (Name) Frank J. Servedio  
(Title) Data Analyst Program Advisor  
Office of Professional Quality Enhancement  
(Date) 8/1/04

**ARKANSAS DEPARTMENT OF EDUCATION  
PROPOSED RULES GOVERNING NON-TRADITIONAL TEACHER LICENSURE**

**1.0 PURPOSE**

- 1.01** The purpose of these rules is to establish the requirements and procedures for obtaining teacher licensure through the Arkansas Department of Education Non-Traditional Teacher Licensure Program.

**2.0 REGULATORY AUTHORITY**

- 2.01** These shall be known as the Arkansas Department of Education Rules Governing Non-Traditional Teacher Licensure.
- 2.02** These regulations are enacted pursuant to the authority of the State Board of Education under Ark. code Ann. § 6-11-105 (Rep 1999), Ark. Code Ann. § 6-17-401 and § 25-15-204 (Supp. 1999).

**3.0 DEFINITIONS**

For the purpose of these Rules the following terms shall be defined to mean:

- 3.01** **Area of Licensure** - a particular content field as identified in Appendix A, Areas and Levels of Licensure.
- 3.02** **Induction** - the period of time beginning with a teacher's first employment as the teacher of record in an Arkansas public school, cooperative, or agency that requires an Arkansas teaching license. The novice teacher, operating under an Initial License, is provided (Pathwise) mentoring support and accelerated professional development during the Initial license period. It concludes with successful completion of the state-mandated performance assessment.
- 3.03** **Initial Teaching License** - a three-year teaching license, issued by the state, which allows one to teach in Arkansas public schools.
- 3.03.1** The Initial license is issued only in areas and levels of licensure as approved by the State Board of Education as referenced in Appendix A, Areas and Levels of Licensure, which are hereby incorporated into these rules.
- 3.03.2** The Initial license may be issued to:
- 3.03.2.1** teachers who have completed an approved teacher education program from a regionally and/or NCATE accredited college or university (including the appropriate state-mandated assessments)

- 3.03.2.2 teachers who have completed the Non-Traditional Teacher Licensure Program (including the appropriate state-mandated assessments).
- 3.05 **Level of Licensure** - the grade/age level parameter of the teaching license as identified in Appendix A, Areas and Levels of Licensure.
- 3.06 **Mentor** - a licensed master teacher with a minimum of three years successful teaching experience who is trained in the state-adopted mentoring model. Mentors are assigned in their districts to assist a novice teacher by providing focused feedback with regard to instructional skills, classroom management, and professional behaviors.
- 3.07 **Mentoring** - the act of a (Pathwise) certified mentor providing support and focused feedback to a novice teacher (through the state-adopted mentoring model) with the goal of enhanced instructional skills, competency, and professional development.
- 3.08 **Non-Traditional Licensure Program** - the teacher-training program administered by the Arkansas Department of Education, whose participants hold a minimum of a baccalaureate degree (and passed the appropriate state-mandated assessments) and are allowed to teach in an Arkansas school via a Non-Traditional Provisional license.
- 3.09 **Non-Traditional Provisional License** – the provisional teaching license issued to participants in the Non-Traditional Licensure Program.
- 3.10 **Novice Teacher** - any licensed teacher-of-record with less than one year of public school, or accredited private school, classroom teaching experience, not including student internship or substitute teaching.
- 3.11 **Out-of-Country Candidate** - a person from a foreign country who holds the equivalent of a four-year degree, who may or may not have teacher education hours and/or who may or may not have teaching experience, and who comes from a foreign country that does not have reciprocity with Arkansas.
- 3.12 **Performance Assessment** - an assessment tool used for evaluation of the classroom performance of a novice teacher, conducted by a trained assessor who utilizes a framework of essential teaching skills in which the novice teacher must demonstrate competency in an authentic classroom setting.
- 3.11.1 Successful completion of the performance assessment is defined as meeting the state-adopted cut-score.
- 3.12 **Program of Study** - a state-approved teacher preparation curriculum offered at an Arkansas college or university, based on the *Arkansas Licensure Standards*. The program requires a candidate to demonstrate and document competency in the

specific knowledge, skills, and dispositions for a particular licensure area and level.

**3.13 Provisional Teaching License** - A temporary teaching license available to candidates who have not completed all requirements for the Initial or Standard Arkansas teaching license.

**3.14 Standard Teaching License** - a five-year renewable license, issued by the state, which allows one to teach in Arkansas public schools. The Standard License is issued to:

**3.14.1** Initial License holders who have successfully completed the state required induction for novice teachers and the performance assessment

**3.14.2** Non-traditional Provisional License holders who have successfully completed the Non-Traditional Licensure Program (including all appropriate assessments), the state required induction for novice teachers, and the performance assessment

**3.14.3** teachers who have completed all requirements for standard licensure through reciprocity.

**3.15 Teacher of Record** - an instructional teacher, who is officially responsible for a class and its grades, employed under contract (in a licensed staff position) by a school, school district or other Arkansas agency or organization requiring an Arkansas teaching license.

#### **4.0 REQUIREMENTS FOR OBTAINING A NON-TRADITIONAL PROVISIONAL TEACHING LICENSE**

**4.01** To obtain a Non-Traditional Provisional Teaching License a candidate must:

**4.01.1** be admitted into the Arkansas Department of Education's Non-Traditional Teacher Licensure Program (NTLP).

**4.01.2** Complete the Summer instructional modules.

**4.01.3** Document appropriate employment as teacher-of-record in an Arkansas school or other Arkansas agency or organization requiring an Arkansas teaching license.

**4.02** There are two tracks in the NTLP.

**4.02.1** Candidates with a four-year degree who have completed a program of study in the field of Education would complete a one-year program.

**4.02.2** Candidates with a four-year degree who have not completed a program of study in the field of Education would complete a two-year program.

**4.03** A one-year Non-Traditional Provisional teaching license is:

**4.03.1** issued to NTL participants at the beginning of each year of the program.

**4.03.2** is effective as of August first of the year of issue.

**4.03.3** is active for one year.



- 4.04** The Non-Traditional Provisional teaching license shall be issued under the following conditions.
- 4.04.1** The candidate submits all of the following:
    - 4.04.1.1** a completed Non-Traditional Licensure Program application with all required accompanying documentation
    - 4.04.1.2** official transcript(s) documenting an awarded four-year college bachelor's degree
      - 4.04.1.2.1** For out-of-country candidates, an official college bachelor's transcript evaluation from a private credential evaluation agency approved by the State Board of Education documenting an awarded four-year degree is required.
    - 4.04.1.3** an official score report reflecting passing scores, as approved by the State Board of Education, on the following state required assessments:
      - 4.04.1.3.1** the basic skills assessment (all parts)
      - 4.04.1.3.2** the state required subject-content-area assessment(s) for the specific licensure area(s) sought
    - 4.04.1.4** documentation of passing the required background checks by the Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann. § 6-17-410.
    - 4.04.1.5** payment of the Non-Traditional Licensure Program Fee which is determined the Arkansas Department of Education annually.
  - 4.04.2** The candidate successfully completes the Summer instructional modules.
  - 4.04.3** The candidate documents employment as teacher-of-record teaching a minimum of four class periods per day in the licensure area.
    - 4.04.3.1** If employment is not secured by September 1, the candidate shall accept teaching employment (if offered) as prescribed by the ADE Office of Teacher Recruitment.
    - 4.04.3.2** If appropriate employment is not otherwise found, a candidate may not continue in the program. Such candidate would be maintained on "hold" until the following year, to pick up where he or she left off.
- 4.05** Candidates with exceptional experience (relevant life experiences, significant accomplishments or achievements) and/or exceptional academic credentials, may complete an interview process to determine exemption from assessments and/or some program offerings.
- 4.05.1** If a candidate holds a Master's Degree or above, and has taken a graduate level assessment, and has scored at or above the State Board established cut-score, that assessment may, upon review, be accepted in lieu of the basic skill assessment(s).
  - 4.05.2** If a candidate holds a Doctoral Degree, that degree may, upon review, be accepted in lieu of subject-content-area assessment requirements in the degree area.

- 4.06 Annually enrollment in the NTL program may be limited by:
  - 4.06.1 licensure requirements
  - 4.06.2 license area and level of candidates (shortage areas may predominate)
  - 4.06.3 program capacity
- 4.07 NTL Provisional licenses are only issued in the areas and levels indicated in Appendix A, NTL Teaching Areas and Levels of Licensure.
- 4.08 All information and documentation submitted for an Arkansas Non-Traditional teaching license shall be timely, accurate, authentic and not altered in any way. Any license issued as a result of a violation of the above mentioned shall become null and void and may be rescinded.
- 4.09 The office of Non-Traditional Licensure as authorized by the State Board of Education reserves the right to amend and/or rescind any Arkansas teaching license that has been issued in error.

## **5.0 GENERAL POLICIES AND PROCEDURES RELATING TO THE NON-TRADITIONAL LICENSURE PROGRAM**

- 5.01 Participants in the Non-Traditional Licensure Program shall:
  - 5.01.1 be employed as the teacher of record in an Arkansas school.
  - 5.01.2 teach a minimum of four class periods per day in their licensure area.
    - 5.01.2.1 Participants in the one-year track shall teach for one year.
    - 5.01.2.2 Participants in the two-year track shall teach for two years.
  - 5.01.3 be assigned to, and attend, a Non-Traditional Licensure Program satellite site for instructional modules.
  - 5.01.4 be mentored according to the Arkansas Department of Education Teacher Induction Guidelines.
  - 5.01.5 complete all instructional modules prescribed by the Arkansas Department of Education.
  - 5.01.6 pass the appropriate state mandated pedagogical assessment(s).
  - 5.01.7 become eligible to participate in the state-mandated performance assessment in their final semester in the program, and after the pedagogical assessment has been successfully completed.
- 5.02 The required NTL program prescribed by the Arkansas Department of Education includes:
  - 5.02.1 Required Instructional Modules during the Summer.
  - 5.02.2 Required Instructional Modules during the school year.
  - 5.02.3 Development of a professional portfolio.
  - 5.02.4 Novice Teacher Induction (which includes Mentoring by a trained and certified mentor).

- 5.03** Successful completion of the Non-Traditional Licensure Program may result in either an Initial or a Standard Teaching license.
- 5.03.1** To receive an Initial teaching license, the participant shall:
- 5.03.1.1** complete the required Instructional Modules prescribed by the Arkansas Department of Education, and
- 5.03.1.2** pass the appropriate state mandated pedagogical assessment(s).
- 5.03.2** To receive a Standard teaching license, the participant shall:
- 5.03.2.1** complete the required Instructional Modules prescribed by the Arkansas Department of Education,
- 5.03.2.2** pass the appropriate state mandated pedagogical assessment(s), and
- 5.03.2.3** successfully complete Induction and the state required performance assessment.
- 5.04** If the pedagogical assessment is not successfully completed within the NTLP program period, a subsequent license will not be issued. The participant will be allowed to attend ADE-scheduled remedial sessions for one year, during which time the participant may attempt to pass the assessment and, if successful, will be issued an Initial license.
- 5.05** If the pedagogical assessment is not successfully completed within the remedial year, the participant will be administratively withdrawn from the program.

## **6.0 RULES PERTAINING TO NOVICE TEACHER INDUCTION FOR NON-TRADITIONAL NOVICE TEACHERS**

- 6.01** All Arkansas School Districts shall implement, support, and monitor the quality of mentoring as outlined in ADE Induction Guidelines and the district's approved plan for mentoring.
- 6.01.1** Implementation of the district mentoring plan shall include:
- 6.01.1.1** selecting mentor candidates according to the Arkansas Mentor Qualifications form
- 6.01.1.2** providing a trained mentor for each NTL enrollee.
- 6.01.2** Support includes:
- 6.01.2.1** providing a minimum of 2 hours every two weeks of released time (on average) during the contract day for the mentor and novice teacher to work together,
- 6.01.2.2** assisting the novice and mentor to schedule focused observations and professional development activities, and
- 6.01.2.3** providing activities for mentors and novice teachers, which engage them in collaborative dialogue, problem solving, and professional development.
- 6.01.3** Monitoring of the quality of the district program is achieved by review of the Mentor/Novice Teacher Mentoring Log and the Novice Teacher's Professional Growth and Development Plan by the district Project Director.

- 6.01.4** All other mentoring documents are the sole possession of the novice teacher and shall not be utilized for employment decisions or employment evaluation decisions.

  - 6.01.4.1** The intent is to protect mentors from any legal responsibilities or repercussions associated with employment decisions and also to protect the integrity of the mentor/novice teacher relationship.
- 6.02** Mentoring observational information shall not be shared with the novice teacher's employer or utilized in any way to make employment decisions unless students are at risk, either physically or emotionally.

## **7.0 GENERAL POLICIES PERTAINING TO LICENSES**

- 7.01** Teachers who need a duplicate Arkansas teaching license must submit a completed application form (indicating "duplicate") to the office of Professional Licensure.

  - 7.01.1** A duplicate license will be issued only for a license that is current.
- 7.02** All information and documentation submitted for an Arkansas Teacher License must be timely, accurate, authentic and unaltered in any way.

  - 7.02.1** Any license issued as a result of a violation of the above-mentioned will be null and void and may be rescinded.
- 7.03** The Office of Professional Licensure, as authorized by the State Board of Education, reserves the right to amend and/or rescind any Arkansas Teacher License that has been issued in error.
- 7.04** The Office of Professional Licensure, as authorized by the State Board of Education, reserves the right to revoke a Non-Traditional Provisional License if the licensee does not successfully complete the required preparation modules, and revocation is recommended by the Non-Traditional Licensure Office.

**Appendix A**  
**Arkansas Department Of Education**  
**NLT Teaching Areas and Levels of Licensure**

<b><u>Areas of Licensure</u></b>	<b><u>Grade Levels</u></b>
Early Childhood	P-4
Middle Childhood:	
Math/Science	4-8
English-Lang Arts/Social Studies	4-8
Math	7-12
English	7-12
Social Studies	7-12
Physical/Earth Science	7-12
Life/Earth Science	7-12
P.E. Wellness & Leisure	P-12
Drama/Speech	P-12
Art	P-12
Music, Vocal, & Instrumental	P-12
Spanish	P-12
French	P-12
Family & Consumer Science	4-12
Agriculture	4-12
Industrial Technology	4-12
Business Education	4-12
Marketing Technology	4-12